
Appeal Decision

Site visit made on 31 July 2017

by Kenneth Stone BSc Hons DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th August 2017

Appeal Ref: APP/C1570/Z/16/3155572

Lock Stock & Barrell 7 Lower Street, Stanstead, Essex CM24 8LN

- The appeal is made under Regulation 17 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 against a refusal to grant express consent.
 - The appeal is made by Mr Eric Orros against the decision of Uttlesford District Council.
 - The application Ref UTT/16/0550/AV, dated 19 February 2016, was refused by notice dated 7 June 2016.
 - The advertisements are described as three fascia signs.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The description of the appeal proposals refers to three fascia signs. The signs are in fact a fascia level sign above the entrance door and two side panel signs either side of the door. The advertisements the subject of this appeal were being displayed at the time of the Council's decision, however, at the time of my visit the two side panels were covered but still in situ.

Main Issue

3. The main issue is the effect of the advertisements on the character and appearance of the surrounding area including on the Stanstead Mountfitchet Conservation Area, within which the site is located, and the Grade II listed building on which the advertisements are displayed.

Reasons

4. The powers to control advertisements under the regulations may be exercised only in the interests of amenity and public safety, taking into account the provisions of the development plan, so far as they are material, and any other relevant factor. I have considered the appeal on this basis.
5. The consideration of amenity under the regulations includes factors such as the general characteristics of the locality, including the presence of any features of historic, architectural, cultural or similar interests¹
6. The appeal site is a small ground floor commercial property in a commercial centre. The building is grade II listed and was formerly a pair of cottages which have subsequently been converted into two ground floor commercial

¹ Regulation 3(2)(a) – The Town and Country Planning (Control of Advertisements) (England) Regulations 2007

- premises and upper floor offices. The building was constructed as a pair of mid C19 red brick cottages with a two window range, double hung sashes with glazing bars in plain reveals. The front elevation contains two doorways and a passageway, at the southern end there is a small C19 former shop window.
7. The premises are located in Area 3 in the Stanstead Mountfitchet Conservation Area. The conservation area is designated because of the architectural and historic qualities of the buildings many of which are listed. There is a significant range and variety of styles and ages ranging from the C16 onwards.
 8. The advertisements are replacements for those that had been previously displayed but which had become worn. The appellant indicates these were replaced with similar signs. The signs themselves are non-illuminated painted boards one over the main door at fascia level and the other two either side of the entrance. There are two external lights mounted above the display the appellant notes these have not been reconnected but that if consent were forthcoming that he would wish to replace these with two externally mounted brass swan neck lights illuminating the fascia sign. The signs exaggerate the proportions of the entrance door; the overall coverage of the signage take up a significant proportion of the ground floor elevation. When considered in the context of the openings on the elevation the signage disrupts the ordered and regular arrangement of the openings on the building and covers much of the original brick work and detailing on that part of the elevation. The signs are excessively dominant on the elevation and detract from the simple proportions and aesthetic quality of the building. In this regard they harm the architectural and historic significance of the building and therefore its value to the amenity of the area.
 9. The building is located in a section of the street adjacent to buildings of varying ages and designs. Many of the surrounding buildings are also of listed status and the advertisements in the area are generally restrained and well-proportioned in relation to the buildings on which they are located. The appeal site is readily visible in the street and the signage draws excessive attention to its assertive form and display to the detriment of the appearance of the area and therefore this part of the conservation area. I have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area. This duty applies to advertisement appeals in so far as it relates to the consideration of amenity. As I have concluded that the advertisements would be detrimental to the appearance of the area it follows that they do not preserve the appearance of the conservation area.
 10. The Council have referred to policies Gen2, ENV1 and ENV2 of the Uttlesford Local Plan (adopted 2005) in its reason for refusal. I have taken these into account as they seek to protect the amenities of an area, conservation areas and listed buildings and so are material to the issue of amenity. Given I have concluded that the signs harm amenity they conflict with these policies. The policies and guidance however have not themselves been determinative.
 11. The appellant contends that the signs are simple replacements for previous signage, of the same materials and dimensions. It is contended the signs are required to inform customers of the services and products within the premises and therefore fulfil a business need. As the appeal follows from an application for express consent I am determining it on that basis. Advertisements are subject only to control in the interest of amenity and public safety.

12. For the reasons given above I conclude that the display of the three fascia signs is detrimental to the interests of amenity and the appeal should therefore not succeed.

Kenneth Stone

INSPECTOR